

AO 88 (Rev. 11 91) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF NEW YORK**

**SUMMONS IN A CIVIL ACTION**

*United States of America*  
*c/o SHARINN & LIPSHIE, P.C.*  
*Attorneys at Law*

*Case Number:*  
*Claim No: C100-06041*

*200 GARDEN CITY PLAZA*  
*SUITE 506*  
*GARDEN CITY, NY 11530-3209*

*v.*

*ROBERT BRIGGS*  
*109 BRIGHTON AVE*  
*STATEN ISLAND, NY 10301*

**CV - 01**

**3625**

**EDWARD R. KORMAN**  
**GOLD, M.**

*TO: (Name and Address of Defendant)*

*ROBERT BRIGGS*  
*109 BRIGHTON AVE*  
*STATEN ISLAND, NY 10301*

**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court and serve upon

**PLAINTIFF'S ATTORNEY** *(Name and Address)*

*SHARINN & LIPSHIE, P.C.*  
*Attorneys at Law*  
*200 GARDEN CITY PLAZA*  
*SUITE 506*  
*GARDEN CITY, NY 11530-3209*

*an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.*

JUN 01 2001 *DATE*

*A. Levine* *Deputy CLERK*

**ROBERT C. HEINEMANN**

*Robert C. Heinemann*  
*Clerk of the Court*

07-01 3625

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK  
GARDEN CITY DIVISION

Claim No: C100-0604

RECEIVED  
DISTRICT COURT, E.D.N.Y.  
IN CLERK'S OFFICE  
LONG ISLAND COURTHOUSE

UNITED STATES OF AMERICA

vs.

§

★ JUN 01 2001 ★  
ENTERED

ROBERT BRIGGS

§

★ EDWARD R. KORMAN ★

GOLD, M.

COMPLAINT

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

The United States of America, plaintiff, alleges that:

**Jurisdiction**

1. This Court has jurisdiction over the subject matter of this action pursuant to Article III, Section 2, U.S. Constitution and 28 U.S.C. § 1345.

**Venue**

2. The defendant is a resident of Eastern District of , New York within the jurisdiction of this Court and may be served with service of process at 109 Brighton Ave, Staten Island, NY 10301.

**The Debt**

3. The debt owed the USA is as follows:

A. Current Principal ( <i>after application of all prior payments, credits, and offsets</i> )	\$1256.00
B. Current Capitalized Interest Balance and Accrued Interest	\$668.15
C. Administrative Fee, Costs, Penalties	\$181.50
<b>Total Owed</b>	<b>\$2105.65</b>

The Certificate of Indebtedness, attached as Exhibit A", shows the total owed excluding attorney's fees and CIF charges. The principal balance and the interest balance shown on the Certificate of Indebtedness is correct as of the date of the Certificate of Indebtedness after application of all prior payments, credits, and offsets. Prejudgment interest accrues at the rate of 3.000% per annum.

**Failure to Pay**

4. Demand has been made upon the defendant for payment of the indebtedness, and the defendant has neglected and refused to pay the same.

WHEREFORE, USA prays for judgment:

A. For the sums set forth in paragraph 3 above, plus prejudgment interest through the date of judgment, all administrative costs allowed by law, and post-judgment interest pursuant to 28 U.S.C. § 1961 that interest on the judgment be at the legal rate until paid in full;

B. For attorneys' fees to the extent allowed by law; and,

C. For such other relief which the Court deems proper.

Respectfully submitted,

By: 

Harvey Sharinn  
Howard S Dworkin  
200 Garden City Plaza

Suite 506  
Garden City, NY 11530-3209  
Tel No. (516) 873-6600  
Fax No. (516) 294-0152  
Attorneys for Plaintiff

U. S DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS

Robert Briggs  
AKA: N/A  
109 Brighton Ave  
Staten Island, NY 10301

SSN: 064 44 1117

I certify that Department of Education record show that the debtor named above is indebted to the United States in the amount stated below plus additional interest from 07/19/00.

On or about 12/28/76, 04/01/77, 11/03/78, 04/04/79, 11/14/79 & 04/11/80, the debtor executed promissory notes(s) to secure loan(s) of \$190.50, \$190.50, \$175.00, \$175.00, \$262.50 & \$262.50 from The City University of New York at 3 percent interest per annum. The institution made the loan(s) under the Federally-funded National Direct Student Loan, now Perkins Student Loan, programs authorized under Title IV-E of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087 aa *et seq.* (34 C.F.R. Part 674). The institution demanded payment according to the terms of the notes, and the debtor defaulted on the obligation on 07/02/83. Due to this default, the institution assigned all rights and title to the Department of Education.

After the institution credited all cancellations due and payments received, the debtor owed the school \$1,256.00 principal and interest in the amount of \$160.14. This principal and interest together with any unpaid late charges totaled \$1,416.14. The loan was assigned to the Department on 11/25/87.

Since assignment of the loan, the Department has received a total of \$0.00 in payments from all sources, including Treasury Department offsets, if any. After application of these payments, the debtor owes the United States the following:

Principal:	\$1,256.00
Interest:	\$636.15
Fees/Costs:	\$87.00
Late charges:	\$94.50

Total Debt as of 07/19/00: \$2,073.65

Interest accrues on the principal shown here at the rate of \$.10 per day.

Pursuant to 28 U.S.C. 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 8-15-00

Name: Sheryl Davis  
Title: Loan Analyst  
Branch: Litigation Branch